

**McMANIMON, SCOTLAND & BAUMANN, LLC**

75 Livingston Avenue, Suite 201

Roseland, New Jersey 07068

(973) 622-1800

Anthony Sodono, III, Esq. ([asodono@msbnj.com](mailto:asodono@msbnj.com))

Sari B. Placona, Esq. ([splacona@msbnj.com](mailto:splacona@msbnj.com))

*Attorneys for Anthony Sodono, III, Liquidating Receiver*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ENVIRONMENTAL SAFETY

INTERNATIONAL, INC., a New Jersey

Corporation, also d/b/a/ Environmental Products  
International, Inc., and EPI,

JOSEPH CARNEY, individually and as an  
officer of Environmental Safety International,  
Inc.,

SEAN CARNEY, individually and as an officer  
of Environmental Safety International, Inc.,

RAYMOND CARNEY, individually and as an  
officer of Carbro Sales & Survey, L.L.C.,

Defendants.

Civil Action No. 2:21-cv-13350-MCA-LDW

**APPLICATION OF ANTHONY SODONO,  
III, LIQUIDATING RECEIVER, FOR AN  
ORDER AUTHORIZING RETENTION  
OF (I) MCMANIMON, SCOTLAND &  
BAUMANN, LLC AS ATTORNEYS FOR  
THE RECEIVER; (II) INTEGRATED  
PROPERTY GROUP ADVISORS, LLC  
d/b/a AUCTION ADVISORS AS  
AUCTIONEER TO THE RECEIVER;  
AND (III) VESTCORP, LLC AS  
ACCOUNTANTS TO THE RECEIVER**

TO: HONORABLE MADELINE COX ARLEO  
UNITED STATES DISTRICT COURT JUDGE

Anthony Sodono, III, Liquidating Receiver (“Receiver”) for Joseph Carney (the  
“Receivership Defendant”), respectfully submits this Application pursuant to L. Civ. R. 66.1 of  
the Local Civil Rules of the United States District Court for the District of New Jersey, for an  
Order authorizing the Receiver to retain (i) McManimon, Scotland & Baumann, LLC (“MSB”)

as his counsel; (ii) Integrated Property Group Advisors, LLC d/b/a Auction Advisors (“Auction Advisors”) as his auctioneer; and (iii) Vestcorp, LLC (“Vestcorp”) as his accountants. In support of this application, the Receiver states as follows:

### **Background**

1. On or about July 6, 2021, the United States of America, acting upon notification and authorization to the Attorney General by the Federal Trade Commission (“FTC”) commenced the within action against Environmental Safety International, Inc., Joseph Carney, Sean Carney and Raymond Carney (collectively, the “Defendants”). See Docket No. 1.

2. On or about July 15, 2021, Anthony Sodono, III, Esq., was appointed Receiver for the Receivership Defendant by Stipulated Order for Permanent Injunction and Civil Penalty Judgment Against Environmental Safety International, Inc., Joseph Carney, and Sean Carney (the “Order”) dated July 15, 2021. See Docket No. 7.

### **Relief Requested and Basis Therefor**

#### **I. Retention of McManimon, Scotland & Baumann, LLC**

3. By this application, the Receiver seeks to retain and employ MSB with offices located at 75 Livingston Avenue, Suite 201, Roseland, New Jersey 07068 as his counsel to assist the Receiver in all matters relating to his duties as more fully set forth in the Order.

4. The Receiver has been informed that all members of MSB who will be engaged in this matter are attorneys duly admitted to practice in and are members in good standing of the bar of the State of New Jersey and the federal courts of the District of New Jersey.

5. The Receiver has selected MSB based on its considerable experience in the fields of, among other things, litigation, general corporate, reorganization, insolvency, bankruptcy, and

related matters. The Receiver believes that MSB is well qualified to serve as counsel in this matter.

6. The professional services that MSB will render to the Receiver during the pendency of this case include, but shall not be limited to, the following:

- (a) advising the Receiver with respect to his powers and duties;
- (b) assisting the Receiver in taking exclusive custody, control, and possession of all assets and documents of, or in the possession, custody, or under the control of, the “Receivership Defendant” (as that term is defined in the Order);
- (c) assisting the Receiver in administering the estate
- (d) assisting the Receiver to conserve, hold, and manage all receivership assets and perform all acts necessary or advisable to preserve the value of those assets in order to prevent any irreparable loss or damage, or assisting the Receiver in contracting and purchasing insurance as advisable or necessary;
- (e) assisting the Receiver in selling the assets of the receivership; and
- (f) performing such other legal services for the Receiver as may be necessary and appropriate herein.

7. It is contemplated that MSB will be compensated for the services described herein at its adjusted billing rates<sup>1</sup> and in accordance with its customary billing practices with respect to other charges and expenses. The current billing rates of attorneys of MSB are set forth in the Certification of Sari B. Placona, Esq., submitted herewith. These hourly rates are subject to periodic adjustment to reflect economic and other conditions but only as approved upon written consent of the FTC. Payment to MSB of any fees and/or disbursements incurred shall occur only upon notice to the Receivership and Receivership Defendant and his counsel, Federal Trade Commission, and other parties filing notices of appearance.

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<sup>1</sup> MSB has agreed to reduce its hourly rates as follows: Mr. Sodono at \$485.00 per hour and Ms. Placona, his counsel, at \$325.00 per hour.



8. To the best of the Receiver's knowledge, MSB has no adverse interest with the Federal Trade Commission, the Receivership Defendant, creditors or other parties in interest or their respective attorneys.

## **II. Retention of Auction Advisors**

9. By this application, the Receiver seeks to retain and employ Auction Advisors with offices located at 26 Park Street, Suite 2200, Montclair, New Jersey 07042, as his auctioneer to assist the Receiver in all matters relating to his duties as more fully set forth in the Order, but specifically to sell by auction real property located at 20 Appletree Lane, Hillsdale, New Jersey (the "Property").

10. The Receiver has selected Auction Advisors based on its considerable experience for over twenty (20) years as real estate brokers and auctioneers. The Receiver believes that Auction Advisors is well qualified to serve as auctioneers in this matter to assist in selling the Property. The Receiver, along with Auction Advisors has already inspected the Property and secured same. Moreover, with Auction Advisors assistance, the Receiver will maintain, clean and protect the Property.

11. The professional services that Auction Advisors will render to the Receiver during the pendency of this case include, but shall not be limited to, marketing, selling and maintaining the Property.

12. Auction Advisors intends on holding a live auction at the Property on September 14, 2021, at 11:00 a.m. Prior to the auction, Auction Advisers will market the Property to thousands of on-line customers.

13. It is contemplated that Auction Advisors will be compensated for the services as set forth in the Certification of Oren Klein submitted herewith.

14. To the best of the Receiver's knowledge, Auction Advisors has no adverse interest with the Receiver, Federal Trade Commission, Receivership Defendant, creditors, or other parties in interest, or their respective attorneys.

### **III. Retention of Vestcorp, LLC**

15. By this application, the Receiver seeks to retain and employ Vestcorp, LLC ("Vestcorp") with offices located at 623 Eagle Rock Avenue, Suite 364, West Orange, New Jersey 07052, as his accountants to assist the Receiver in all matters relating to his duties as more fully set forth in the Order.

16. The Receiver has selected Vestcorp because it has extensive experience and the appropriate accounting skills and personnel needed to perform the accounting services required by the Receiver. The Receiver believes that Vestcorp is well qualified to serve as accountants in this matter.

17. The professional services that Vestcorp will render to the Receiver during the pendency of this case include, but shall not be limited to, prepare and file tax returns and render such other accounting services as may be required by the Receiver in the ordinary course of his duties.

18. It is contemplated that Vestcorp will be compensated for the services as follows and as set forth set forth in the Certification of Irv Schwarzbaum submitted herewith:

Managing Director	\$320.00
Principal:	\$280.00
Tax Accountant	\$200.00
Associate:	\$160.00

19. To the best of the Receiver's knowledge, Vestcorp has no adverse interest with the Receiver, Federal Trade Commission, Receivership Defendant, creditors, or other parties in interest, or their respective attorneys.

**WHEREFORE**, the Receiver respectfully requests that this Court enter the proposed Order authorizing the retention of (i) McManimon, Scotland & Baumann, LLC as his counsel, (ii) Auction Advisors as his auctioneer, (iii) Vestcorp, LLC as his accountants, and granting such other and further relief as the Court deems just and proper.

/s/ Anthony Sodono, III  
Anthony Sodono, III, Receiver

Dated: August 4, 2021